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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Mag. Case No. **'08 MJ 8658**

Plaintiff,

COMPLAINT FOR VIOLATION OF

V.

Title 8, U.S.C., Section 1326
Deported Alien Found In the
United States

Juventino NOLASCO

Defendant.

The undersigned complainant being duly sworn states:

On or about July 17, 2008, within the Southern District of California, defendant Juventino NOLASCO, an alien, who previously had been excluded, deported and removed from the United States to El Salvador was found in the United States, without the Attorney General of the United States or his designated successor, the Secretary of the Department of Homeland Security (Title 6, United States code, section 202(3) and (4), and 557), having expressly consented to the defendant's reapplication for admission into the United States; in violation of Title 8, United States Code, Section 1326.

And the complainant states that this complaint is based on the attached Statement of Facts, which is incorporated herein by reference.

Senior Border Patrol Agent

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS 17th DAY OF JULY
2008.

PETER C. LEWIS
U.S. MAGISTRATE JUDGE

1 UNITED STATES OF AMERICA

2 v.

2 Juventino NOLASCO

3 STATEMENT OF FACTS

4 The complainant states that this complaint is based upon the
5 statements of the apprehending Border Patrol Agent, R. Cabrera,
6 that the Defendant was found and arrested on July 17, 2008 west
7 of Calexico, California.

8 Agent Cabrera was patrolling the border when he encountered
9 an individual approximately 12 miles west of the Calexico,
10 California, Port of Entry. Agent Cabrera approached the
11 individual, later identified as Juventino NOLASCO, and identified
12 himself as a United States Border Patrol Agent. Agent Cabrera
13 questioned the individual as to his citizenship and NOLASCO was
14 determined to be a citizen and national of El Salvador illegally
15 in the United States. NOLASCO was placed under arrest.

16 Record checks revealed an Immigration Judge ordered NOLASCO
17 deported to El Salvador from the United States on September 17,
18 2007. Record checks also revealed NOLASCO has a criminal record.

19 There is no evidence NOLASCO has sought or received
20 permission from the Attorney General or the Secretary of the
21 Department of Homeland Security to re-enter the United States.